

during landing or takeoff, or while operating in the traffic pattern is at least 3 statute miles.

(e) For the purpose of this section, an aircraft operating at the base altitude of a Class E airspace area is considered to be within the airspace directly below that area.

[Doc. No. 24458, 56 FR 65660, Dec. 17, 1991, as amended by Amdt. 91-235, 58 FR 51968, Oct. 5, 1993]

§ 91.157 Special VFR weather minimums.

(a) Except as provided in appendix D, section 3, of this part, special VFR operations may be conducted under the weather minimums and requirements of this section, instead of those contained in § 91.155, below 10,000 feet MSL within the airspace contained by the upward extension of the lateral boundaries of the controlled airspace designated to the surface for an airport.

(b) Special VFR operations may only be conducted—

- (1) With an ATC clearance;
- (2) Clear of clouds;
- (3) Except for helicopters, when flight visibility is at least 1 statute mile; and
- (4) Except for helicopters, between sunrise and sunset (or in Alaska, when the sun is 6 degrees or more below the horizon) unless—

(i) The person being granted the ATC clearance meets the applicable requirements for instrument flight under part 61 of this chapter; and

(ii) The aircraft is equipped as required in § 91.205(d).

(c) No person may take off or land an aircraft (other than a helicopter) under special VFR—

(1) Unless ground visibility is at least 1 statute mile; or

(2) If ground visibility is not reported, unless flight visibility is at least 1 statute mile.

[Amdt. 91-235, 58 FR 51968, Oct. 5, 1993, as amended by Amdt. 91-247, 60 FR 66874, Dec. 27, 1995]

§ 91.159 VFR cruising altitude or flight level.

Except while holding in a holding pattern of 2 minutes or less, or while turning, each person operating an aircraft under VFR in level cruising flight more than 3,000 feet above the surface

shall maintain the appropriate altitude or flight level prescribed below, unless otherwise authorized by ATC:

(a) When operating below 18,000 feet MSL and—

(1) On a magnetic course of zero degrees through 179 degrees, any odd thousand foot MSL altitude +500 feet (such as 3,500, 5,500, or 7,500); or

(2) On a magnetic course of 180 degrees through 359 degrees, any even thousand foot MSL altitude +500 feet (such as 4,500, 6,500, or 8,500).

(b) When operating above 18,000 feet MSL to flight level 290 (inclusive) and—

(1) On a magnetic course of zero degrees through 179 degrees, any odd flight level +500 feet (such as 195, 215, or 235); or

(2) On a magnetic course of 180 degrees through 359 degrees, any even flight level +500 feet (such as 185, 205, or 225).

(c) When operating above flight level 290 and—

(1) On a magnetic course of zero degrees through 179 degrees, any flight level, at 4,000-foot intervals, beginning at and including flight level 300 (such as flight level 300, 340, or 380); or

(2) On a magnetic course of 180 degrees through 359 degrees, any flight level, at 4,000-foot intervals, beginning at and including flight level 320 (such as flight level 320, 360, or 400).

§§ 91.161—91.165 [Reserved]

INSTRUMENT FLIGHT RULES

§ 91.167 Fuel requirements for flight in IFR conditions.

(a) Except as provided in paragraph (b) of this section, no person may operate a civil aircraft in IFR conditions unless it carries enough fuel (considering weather reports and forecasts and weather conditions) to—

(1) Complete the flight to the first airport of intended landing;

(2) Fly from that airport to the alternate airport; and

(3) Fly after that for 45 minutes at normal cruising speed or, for helicopters, fly after that for 30 minutes at normal cruising speed.

(b) Paragraph (a)(2) of this section does not apply if—